IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3709 of 2005

Between:

1 B.S. Rambabu, S/o. Mallaiah,
r/o. Bheemavaram, Vastavai Mandal, Krishna District.
2 B. Babu Rao, S/o. Mallaiah,
R/o. Bheemavaram, Vastavai Mandal, Krishna District.

..... PETITIONERS

AND

1 The Principal Secretary to Endowments,

Endowments Dept., Secretariat, Hyderabad.
2 The Commissioner,

Endowments, tilak Road, Boggulakunta, Hyderabad.
3 The Asst. Commissioner,

Endowments, Opp: Old Bus Stand, Vijayawada.
4 The Inspector,

C/o. Ranganayakulu, Endowments Dept.,

Near Geeta Mandir, Eytupet,
Nandigama, Krishna District.
5 The Manager,

Single Trustee, O/o. Manager,

Endowments Dept.,
Seetarampuram, Jaggayyapet, Krishna District.
6 The Sri T. Chakrapani Rao,

R/o. 6-877/B, Venkatagiri Gutta,
Jaggayyapet, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue any writ order or direction more particularly writ in the nature of Mandamus by declaring the inaction of the 3rd respondent in not taking legal action against the 6th respondent herein as arbitrary illegal and in reasonable and further direct the 3rd respondent to take action against the 6th respondent in accordance with law and further declare that the letter dt. 25.12.2004 of the 5th respondent as without authority, power, jurisdiction as illegal and violative of Article 25 & 26 of the Constitution of India.

Counsel for the Petitioner: Mr. Y.SUBRAHMANYAM
Counsel for the Respondents: GP FOR ENDOWMENTS

The Court at the admission stage made the following :

ORDER:

This Writ Petition is filed seeking *Mandamus* by declaring the inaction of the 3rd respondent in not taking legal action against the 6th respondent herein, as arbitrary, illegal and further to direct the 3rd respondent to take action against the 6th respondent in accordance with law and further declare that the letter dated 25.12.2004 of the 5th respondent, as without authority, power and jurisdiction.

2. Heard both sides and at their request the main Writ Petition is taken up for disposal at the stage of admission.

3. The only complaint is that the directions issued by the learned Judge of this Court in W.P.No.5286 of 2004, dated 22-03-2004 are not complied with.

4. It appears that the petitioners made certain complaints against the 6th respondent to bring to the notice of the concerned authorities about the various irregularities. In this background, the present Writ Petition came to be filed. This Court in Writ petition No. 5286 of 2004 issued a direction as under:

> "As the 2nd respondent did not take any action so far, he is directed to consider the representation of the petitioner and pass appropriate orders on the same after enquiring into the allegations made by the petitioner against the 4th respondent".

5. The 4th respondent in the said Writ Petition is the 6th respondent in the present Writ Petition. Having regard to the facts and circumstances and also in the light of the judgment passed by this Court, it would suffice to close the Writ Petition with a direction to the 3rd respondent to conduct an enquiry, if not already conducted, pursuant to the representation said to have been filed against all the allegations levelled against the 6th respondent by the petitioner within three months from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is closed with the above direction.

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(D.S.R.VARMA,J)

1st March, 2005.

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To

1 The Principal Secretary to Endowments,

Endowments Dept., Secretariat, Hyderabad.

2 The Commissioner,

Endowments, tilak Road, Boggulakunta, Hyderabad.

3 The Asst. Commissioner,

Endowments, Opp: Old Bus Stand, Vijayawada.

4 The Inspector,

C/o. Ranganayakulu, Endowments Dept.,

Near Geeta Mandir, Eytupet,
Nandigama, Krishna District.

5 The Manager,

Single Trustee, O/o. Manager,

Endowments Dept.,
Seetarampuram, Jaggayyapet, Krishna District.

6 Two CCs to the GP for Endowments,

High Court of A.P., Hyderabad (O.U.T.)

7 Two CD copies.